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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,962	03/11/2004	Shinsuke Sakamoto	250061US2S DIV	3977
22850	7590	05/19/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				ORTIZ, EDGARDO
ART UNIT		PAPER NUMBER		
		2815		

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No.	Applicant(s)	
	10/796,962	SAKAMOTO ET AL.	
	Examiner Edgardo Ortiz	Art Unit 2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11 March 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 7 and 8 is/are allowed.

6) Claim(s) 1-4 is/are rejected.

7) Claim(s) 5 and 6 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/11/04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Objections

1. Claim 2 is objected to because of the following informalities: after “placed” the word “and” should be included for clarity. Appropriate correction is required.

Specification

2. The disclosure is objected to because of the following informalities: on page 8, line 22 the number “10” should be substituted for number “15”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regard to Claim 1, the claim contains the limitation “*the number of the second contact patterns being smaller than that of the first standard cells.*” However, the claim also discloses that the first standard cells *have no contact pattern*. Thus, claim 1 is unclear and indefinite since the claim contains limitations, which are inconsistent when interpreted as a whole.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Kumagai (U.S. Patent No. 6,057,568), as best the examiner is able to ascertain the claimed invention. With regard to Claim 1, Kumagai discloses on figure 7A, a plurality of first standard cells (401, 402) that form a cell array, each of the first standard cells having no contact pattern as clearly shown on the figure wherein no contacts are formed on first standard cells (401, 402); a second standard cell (403) that forms a cell array in combination with the first standard cells (401, 402), the second standard cells having first contact patterns which comprise the contacts (415) to the active regions (406a-406c and 407a-407c); and second contact patterns (also labeled 415) within the cell array and which comprise the contacts to the gate regions (408a-408b and 409a-408b), the number of the second contact patterns being smaller than that of the first contact patterns, since there are six first contact patterns and only four second contact patterns.

With regard to Claim 2, Kumagai discloses second contact patterns within the cell array and which comprise the contacts (415) to the gate regions (408a-408b and 409a-408b), wherein the second contact patterns (415) are placed and distributed uniformly within the cell array. See figure 7A.

With regard to Claim 4, Kumagai discloses contacts (415) to the gate regions (408a-408b and 409a-409b), placed in the cell array where current density is distributed uniformly since the basic cells are form as an electrically closed loop (column 3, lines 65-67 and column 4, lines 1-6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumagai (U.S. Patent No. 6,057,568). With regard to Claim 3, figure 7A of Kumagai essentially discloses the claimed invention, but fails to disclose the claimed well region to which the second contact patterns are connected. However, figure 5A of the cited reference discloses P-well and N-well contact diffusion regions (204, 205) to which contacts (215) are connected to. Therefore, it would have been obvious to someone with ordinary skill in the art, at the time of the invention, to modify the structure of figure 7A to include the claimed well region to which the second contact patterns are connected, as suggested by figure 5A, in order to provide well regions to which a power supply potential can be applied to (column 6, lines 29-34).

Allowable Subject Matter

6. Claims 5-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 7-8 are allowed. The cited prior art fails to disclose, teach or suggest, the claimed semiconductor integrated circuit device as claimed on independent claim 7 and its dependent claim 8.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edgardo Ortiz whose telephone number is 571-272-1735. The examiner can normally be reached on Monday-Friday (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on 571-272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edgardo Ortiz

E.O.
A.U. 2815
5/12/05

Tom Thomas

TOM THOMAS
SUPERVISORY PATENT EXAMINER